



Public Notice

US Army Corps
of Engineers
Memphis District

REPLY TO: ATTN: Alan Edmondson
U.S. Army Corps of Engineers
167 North Main Street, Room B-202
Memphis, Tennessee 38103-1894
Telephone (901) 544-0731
Fax (901) 544-0211
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PUBLIC NOTICE NO:
LOWER ST. FRANCIS 2001-097 [ARE]
REFERENCE NUMBER:
200143097
PUBLIC NOTICE DATE:
October 17, 2001

POSTMASTER PLEASE POST UNTIL: EXPIRATION DATE:
November 19, 2001

Joint Public Notice
Corps of Engineers
and
State of Arkansas

AUTHORITY: Pursuant to 33 CFR 325, as published in the Federal Register dated November 13, 1986, this notice announces an application submitted for a Department of the Army permit under Section 404 of the Clean Water Act.

APPLICANT: President John G. Black
J.W. Black Lumber Company
P.O. Box 107
Corning, Arkansas 72422
(870) 857-3576

LOCATION: The project is located south of Birdeye, (Section 21 Township 8N Range 4E) in Cross County, Arkansas, at approximate latitude 35°-18-8.7581 and longitude 90°-40-25.4050 on the Prinedale 7.5 minute quadrangle map.

PURPOSE: The purpose of this project is to hold water for waterfowl.

DESCRIPTION OF WORK: The applicant proposes to construct a green tree reservoir for the purpose of holding water to attract waterfowl. The applicant will construct 3 levees to meet with a preexisting levee. There is a second preexisting levee through the center of the project which will divide the green tree reservoir into two compartments (see attached diagram). The constructed levees will have a top width of 1 foot, a maximum height of 42 inches, and 1H:1V side slopes. The approximate total length of the three levees is 13,000 feet. The work will directly impact approximately 3.1 acres of wooded wetlands. In addition, the project will flood approximately 500 acres of wooded wetlands. The deposition of fill material associated with the levees into waters of the U.S., including adjacent wetlands, requires Corps authorization.

WATER QUALITY CERTIFICATION: By copy of this public notice, the applicant is requesting water quality certification from the Arkansas Department of Environmental Quality that the activity will comply with applicable requirements set forth in 33 U.S.C. and 1341(a)(1) of the Clean Water Act and all State laws and regulations promulgated pursuant thereto. This certification or evidence of this water quality certification or waiver of the right to certify must be submitted prior to the issuance of a Corps of Engineers permit. The Corps of Engineers' evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, EPA, under authority of Section 404(b) of the Clean Water Act.

ENDANGERED SPECIES: No endangered or threatened species, or their critical habitat, are known to exist in the project area. This application is being coordinated with the U.S. Fish and Wildlife Service. Any comments they may have regarding endangered or threatened wildlife or plants, or their critical habitat, will be considered in our evaluation of the described work.

CULTURAL RESOURCES: The National Register of Historic Places has been consulted, and it has been determined that there are no properties currently listed in the register which will be affected by the work. The consultation of the National Register will constitute the full extent of cultural resources investigation by this office unless we are made aware as a result of comments received in response to the notice or by other means of the existence of specific structures or sites which might be affected by the work. Copies of the notice are being sent to the State Archaeologist and the State Historic Preservation Officer.

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FLOOD PLAIN: In accordance with 44 CFR Part 60 (Flood Plain Management and Use), participating communities are required to review all proposed development to determine if a flood plain development permit is required. Flood plain administrators should review the proposed public notice and apprise this office of any flood plain development permit requirements.

PUBLIC INTEREST REVIEW: The purpose of this public notice is to advise all interested parties of the activities for which a permit is sought and to solicit comments and information necessary to evaluate the probable impact on the public interest.

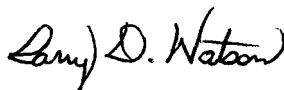
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

PUBLIC HEARING: Any person may request, in writing, within the comment period specified in this notice that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reason for holding a public hearing. The District Engineer will determine if the issues raised are substantial and whether a hearing is needed for making a decision.

COMMENTS OR REQUEST FOR ADDITIONAL INFORMATION: If you wish to obtain additional information or to submit comments on the application, please contact Alan Edmondson at the U.S. Army Corps of Engineers, 167 North Main Street, Room B-202, Memphis, Tennessee 38103-1894, telephone (901) 544-0731. Copies of all comments, including the names and address of commenters, may be provided to the applicant for consideration and response prior to a decision by the Corps.

Comments should be received by November 19, 2001

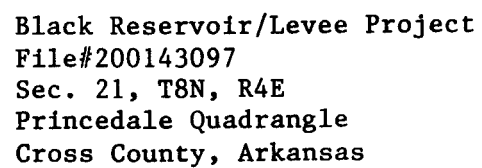


Larry D. Watson
Chief
Regulatory Branch

Attachments



Black Reservoir/Levee Project
File# 200143097
Sec. 21, T8N, R4E
Prineville Quadrangle
Coun Oregon



Existing Levees = xxxxxxxx

